



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 North Lowell Rd., Windham, New Hampshire 03087

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Planning Board Approved Minutes

Wednesday, July 20, 2016

7:00pm @ Community Development Department

Attendance:

Chairman Paul Gosselin, present

Margaret Crisler, present

Dan Guttman, present

Kathleen DiFrusia (alternate), excused

Gabe Toubia (alternate), present

Ross McLeod, Board of Selectmen representative, excused

Jennifer Simmons, Board of Selectmen alternate, present

Vice Chair Kristi St. Laurent, present

Alan Carpenter, excused

Ruth-Ellen Post, present

Matt Rounds (alternate), excused

Mr. Toubia is seated for Mr. Carpenter.

Staff:

Dick Gregory, ZBA/Code Enforcement Administrator

Anitra Brodeur, Minute Taker

Public Hearings - Continued from June 15, 2016

Case 2016-21 Minor Site Plan/Change of Use Application 49 Range Road (Lot 18-L-400)

An application for a Minor Site Plan/Change of Use has been submitted for 49 Range Road (Lot 18-L-400) in the Professional, Business and Technology District and Cobbetts Pond & Canobie Lake Watershed District. The Applicant, Peter Zohdi, Edward N. Herbert Associates, Inc., on behalf of Mashop Develop, is proposing to change Units A-C in Building II from the approved use of medial office to a proposed dance studio. No exterior changes are proposed. Waiver from Section 703.2.4 of the Site Plan Regulations has been requested. Per Section 303.5 of the Site Plan Regulations, if the application does not qualify as a Minor Site Plan then it will be deemed a Major Site Plan & the application will be heard as a Preliminary Major Site Plan Application.

A motion as made by Ms. Crisler to continue the public hearing for Case 2016-21 to August 3rd, 2016 at 7:00pm. Seconded by Mr. Guttman. Vote 7-0. Motion passes.

Public Hearing

Case 2016-24: Preliminary Major Site Plan/Minor Subdivision Application Lots 11-A-570 and 11-A-580 (1 North Lowell Road and 21 Indian Rock Road)

An application for a Preliminary Major Site Plan and Minor Subdivision has been submitted for 1 North Lowell Road and 21 Indian Rock Road (Lots 11-A-570 and 11-A-580) in the Village Center District. The Applicant, Joseph Maynard, of Benchmark Engineering, Inc., on behalf of Mesiti Indian Rock Road LLC & Windham Lowell Road Development, LLC, is proposing to extend Eastwood Drive to allow access to three 24-unit apartment buildings and to do a lot line adjustment to create a vacant lot at the intersection of North Lowell Road and Indian Rock Road. The development will be phased and the residential units

will be served by a community water system and 3 septic systems. A conditional use permit has been requested under 612.4.3. This application is subject to Section 719 of the Zoning Ordinance.

A motion was made by Ms. Crisler to open the hearing for Case 2016-24 as a Preliminary Major Site Plan/Minor Subdivision Application. Seconded by Ms. Post. Vote 7-0. Motion passes.

A motion was made to continue the public hearing for Case 2016-24 to September 21st, 2016 at 7:00pm. Seconded by Mr. Guttman. Vote 7-0. Motion passes.

Major Cobbett's Pond and Canobie Lake Watershed Applications

Case 2016-25 19 Gardner Road (17-J-142)

A Major Cobbett's Pond and Canobie Lake Watershed Application has been submitted for 19 Gardner Road (17-J-142), located in the Residential District A zone and Cobbett's Pond and Canobie Lake Watershed Overlay Protection District. The applicant Joseph Maynard of Benchmark Engineering, Inc. on behalf of the property owners, Shawn & Ashley Thrasher, is proposing to raze the existing dwelling and construct a new dwelling. The existing impervious is 47.4% and the proposed will be 47.4 %.

Mr. Joseph Maynard addressed the Board. Mr. Gregory addressed the Board regarding the July 11th memo from Mr. Keach and his recommendations for the application. Mr. Maynard summarized the plan, which included a new well, a new septic system, an altered driveway, and extensive plantings to comply with the state point system in regards to vegetation. A variance is not needed for the driveway as it is being laid over the existing driveway although the grading is changing. Mr. Maynard reviewed the substantial replanting happening in two major sections of the property.

Mr. Maynard reviewed the drip edge infiltration present in the proposed home. Mr. Maynard stated, in response to Mr. Guttman's question, that the orientation of the structure is not amenable to solar panels. Mr. Maynard, also in response to Mr. Guttman, clarified why the owner would want a patio in addition to a deck because of his small children. Mr. Guttman asked who the abutters were to the property. Mr. Maynard explained that the abutters were single-family homes and a boat launch. Mr. Guttman mentioned septic systems on ponds and the impact of these year round systems. Mr. Maynard mentioned the Clean Solutions tanks as a good solution to septic systems on waterfront properties.

The upper parking lot will be slightly reduced in size from the present driveway. The grading will become a little steeper in the final grade but not much more. Ms. Post asked about the run off in relations to such a steep slope. The applicant, in a separate application, may apply for a rain garden to help run off near the road on the boat launch parcel.

Mr. Maynard reassured the Board that there would be no net increase in run off towards Cobbetts Pond.

The road is a private road and does not require the approval of any road agent for work to be done. Mr. Maynard stated that there was a lot of "betterments" happening on the property including a lot of increased plantings.

Ms. Crisler asked about the pavement. Mr. Maynard stated that less of the lot would be paved. Ms. Crisler also asked about the height of the structure; the home will be two stories with a walk out basement.

Vice Chair St. Laurent asked about trees and other potential plantings. Mr. Maynard stated that the point system dictated by the state is what was on paper but he stated that the applicant would likely want more

extensive plantings. The trees, once they grow, will be able to be thinned out once to diameter of the tree is more significant. The Board discussed plantings and what was appropriate for plantings.

The Chairman invited the public to speak at 7:40pm.

A motion was made by Ms. Crisler to approve the application as presented with the 9 conditions of the July 11th memo from Mr. Keach to the Town of Windham. Seconded by Mr. Guttman. Vote 7-0. Motion passes.

Case 2016-26 8 York Road (17-M-38)

A Major Cobbett's Pond and Canobie Lake Watershed Application has been submitted for 8 York Road (17-M-38), located in the Residential District A zone and Cobbett's Pond & Canobie Lake Watershed Overlay Protection District. The applicant, Joseph Maynard of Benchmark Engineering, Inc., on behalf of property owner Judy Denardo is proposing to raze the existing dwelling and construct a new dwelling. The existing impervious is 21.7% and the proposed will be 29.5%.

Mr. Joseph Maynard addressed the Board. Chairman Gosselin asked if staff had any comments. Mr. Gregory called attention, once again, to Mr. Keach's memo dated July 11th, 2016 to the Town of Windham. The right of way is about 20 feet in width according to Mr. Maynard, not large enough for a lot or a road. Ms. Post asked how many trees would be removed; Mr. Maynard stated that four trees would be removed. The Board asked if replanting would be possible to replace some of the removed trees. Mr. Maynard stated that he did not wish to "tie the client's hands" to more landscaping then mandated by the state. The increased impervious house size is the main reason for the increased impervious coverage. The proposed shed is a relocated shed on the property.

A motion was made to approve Case 2016-26 application with the condition that the applicant meet all of the points on the July 11th, 2106 Keach memo. Seconded by Mr. Guttman. Vote 7-0. Motion passes.

MEETING MINUTES

A motion was made by Mr. Guttman to approve the July 6th, 2016 meeting minutes as presented. Seconded by Mr. Toubia. Vote 7-0. Motion passes.

Old/New Business

Chairman Gosselin recognized Laura Scott, in attendance, for her service to the town. She was credited for a lot of great programs in her 7 years here in Windham. Mr. Guttman mentioned the community garden, Adopt-A-Spot program, redevelopment functions within town, and helping businesses to grow and expand as some of her accomplishments. Ms. Post thanked her for her service to the Board and she will miss working with Ms. Scott; she also thinks the legal complexities have evolved in the 10 years she, Ms. Post, has served on the Board. Ms. Scott addressed the Board. She thanked the Board for their service and the difficult decisions they have had to make.

A motion was made by Mr. Guttman to adjourn at 8:01pm. Seconded by Mr. Toubia. Vote 7-0. Motion passes.